

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD ALAN GARCIA,

Defendant.

Case No. CR03-125L

ORDER CONTINUING TRIAL DATE

Based on the records and files herein and the representations of defense counsel, the government, and Mr. Garcia, the Court finds that:

1. This matter comes before the Court after defendant's conviction was vacated and remanded by the Ninth Circuit Court of Appeals. See U.S. v. Garcia, 401 F.3d 1008 (9th Cir. 2005);

2. On July 19, 2005, this Court conducted a hearing attended by defendant, his counsel, and government counsel;

3. At that hearing, defense counsel indicated that he would not be ready for trial by the time mandated under the Speedy Trial Act, see 18 U.S.C. § 3161(e), and needed additional time to prepare for trial;

4. Upon questioning from the Court and consultation with defense counsel, defendant agreed that his attorney needed additional time to prepare for trial, and defendant recognized the

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1 need for a continuance;

2 5. The government did not object to a continuance; and

3 6. The ends of justice outweigh the best interests of the public and the defendant in a
4 speedy trial. In light of defense counsel's request at the July 5, 2005 hearing, the Court finds
5 that failure to continue the trial would deny defense counsel adequate time to effectively prepare
6 for trial.

7 For all the foregoing reasons, IT IS HEREBY ORDERED that the trial date is continued
8 to September 12, 2005.

9 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code, Section
10 3161(h), the period of time from the date of this order to the new trial date is excluded in the
11 computation of time under the Speedy Trial Act.

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13 DATED this 11th day of July, 2005.

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16 Robert S. Lasnik
17 United States District Judge
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